

PTO Form 1553 (Rev 5/2006)

OMB No. 0651-0054 (Exp. 11/30/2008)

## Trademark/Service Mark Amendment to Allege Use (15 U.S.C. Section 1051(c))

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	78870261
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 115
<b>NOTICE OF ALLOWANCE</b>	NO
<b>EXTENSION OF USE</b>	NO
<b>REQUEST TO DIVIDE</b>	NO
<b>MARK SECTION</b>	
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	PREFORMED
<b>OWNER SECTION (no change)</b>	
<b>ATTORNEY SECTION (no change)</b>	
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	019
<b>CURRENT IDENTIFICATION</b>	Non-metallic building materials, namely, ready to tile non-metallic shaped substrates of high density polystyrene materials for building niches, seats, shower pans, curbs and slopes
<b>GOODS AND/OR SERVICES</b>	KEEP ALL LISTED
<b>FIRST USE ANYWHERE DATE</b>	06/00/2002
<b>FIRST USE IN COMMERCE DATE</b>	06/00/2002
<b>SPECIMEN FILE NAME(S)</b>	
	<a href="http://tgate/PDF/AAU/2007/12/03/20071203154503686247-">http://tgate/PDF/AAU/2007/12/03/20071203154503686247-</a>

<b>ORIGINAL PDF FILE</b>	78870261-001_001/SPN0-2166812618-152659579_ _ Specimen _ _ label.pdf
<b>CONVERTED PDF FILE(S) (2 pages)</b>	\\TICRS2\EXPORT14\788\702\78870261\xml2\AAU0002.JPG
	\\TICRS2\EXPORT14\788\702\78870261\xml2\AAU0003.JPG
<b>SPECIMEN DESCRIPTION</b>	a label used by Applicant
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>SUBTOTAL AMOUNT</b>	100
<b>TOTAL AMOUNT</b>	100
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/LisaKSchaffer/
<b>SIGNATORY'S NAME</b>	Lisa K. Schaffer
<b>SIGNATORY'S POSITION</b>	Vice President
<b>DATE SIGNED</b>	12/03/2007
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Mon Dec 03 15:45:03 EST 2007
<b>TEAS STAMP</b>	USPTO/AAU-216.68.126.18-2 0071203154503686247-78870 261-4006379820db62d4b02f4 65d6b75ebf436-CC-1101-200 71203152659579536

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OMB No. 0651-0054 (Exp. 11/30/2008)

**Trademark/Service Mark Amendment to Allege Use  
(15 U.S.C. Section 1051(c))**

To the Commissioner for Trademarks:

**MARK: PREFORMED****SERIAL NUMBER: 78870261**

The applicant, Fin-Pan, Inc., having an address of 3255 Symmes Road, Hamilton, Ohio United States 45013, is using or is using through a related company or licensee the mark in commerce on or in connection with the goods and/or services as follows:

For International Class 019:

Current identification: Non-metallic building materials, namely, ready to tile non-metallic shaped substrates of high density polystyrene materials for building niches, seats, shower pans, curbs and slopes

The applicant, or the applicant's related company or licensee, is using the mark in commerce on or in connection with all goods and/or services listed in the application or Notice of Allowance.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 06/00/2002, and first used in commerce at least as early as 06/00/2002, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) a label used by Applicant.

**Original PDF file:**

[http://tgate/PDF/AAU/2007/12/03/20071203154503686247-78870261-001\\_001/SPN0-2166812618-152659579\\_.\\_Specimen\\_-\\_label.pdf](http://tgate/PDF/AAU/2007/12/03/20071203154503686247-78870261-001_001/SPN0-2166812618-152659579_._Specimen_-_label.pdf)

**Converted PDF file(s) (2 pages)**[Specimen File1](#)[Specimen File2](#)

The applicant hereby appoints David S. Stallard, Esq. of WOOD, HERRON & EVANS, LLP, 441 VINE STREET, 2700 CAREW TOWER, CINCINNATI, Ohio United States 45202 to submit this Trademark/Service Mark Amendment to Allege Use on behalf of the applicant. The attorney docket/reference number is FPN-109.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for 1 class.

**Declaration**

Applicant requests registration of the above-identified trademark/service mark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq., as amended). Applicant is the owner of the mark sought to be registered, and is using the mark in commerce on or in connection with the goods/services identified above, as evidenced

by the attached specimen(s) showing the mark as used in commerce.

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /LisaKSchaffer/ Date Signed: 12/03/2007

Signatory's Name: Lisa K. Schaffer

Signatory's Position: Vice President

Mailing Address:

WOOD, HERRON & EVANS, LLP  
441 VINE STREET  
2700 CAREW TOWER  
CINCINNATI, Ohio 45202

RAM Sale Number: 1101

RAM Accounting Date: 12/04/2007

Serial Number: 78870261

Internet Transmission Date: Mon Dec 03 15:45:03 EST 2007

TEAS Stamp: USPTO/AAU-216.68.126.18-2007120315450368

6247-78870261-4006379820db62d4b02f465d6b

75ebf436-CC-1101-20071203152659579536

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# FinPan

**Versatile, easy-to-install, and ready to tile in minutes**

- One-piece construction means no leaks
- Mold, mildew and moisture resistant
- Will not leak, rot, or corrode

See our complete line of PreFormed products at [www.finpan.com](http://www.finpan.com)

## PreFormed<sup>TM</sup> Shower Seat

**One piece waterproof ready-to-tilde shower seat solution.**

Fin Pan, Inc. 3255 Symmes Road, Hamilton Ohio 45015 800-833-6444

**PF-402**  
Triangle  
16"x 16"



\* Seat Heights 20"

737364204026



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